

UNITED STATES DISTRICT COURT

District of New Jersey

Chambers of
William H. Walls
District Judge

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Martin Luther King Jr.
Federal Courthouse
50 Walnut Street
Newark, New Jersey 07102

NOT FOR PUBLICATION

LETTER OPINION AND ORDER

ORIGINAL ON FILE WITH CLERK OF COURT

January 7, 2015

Appearances:

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Re: The Northwestern Mutual Life Insurance Company v. Anthony Sonia, Anthony De Nicola, Marie De Nicola, Michael Latella, and John Latella; No. 14-cv-3787
Motion for Attorneys' Fees

Dear Counsel:

This Court is in receipt of the motion by Plaintiff The Northwestern Mutual Life Insurance Company ("Northwestern Mutual") for an award of attorneys' fees and costs. Plaintiff's motion is granted in part. Plaintiff will be awarded \$6,000 in attorneys' fees and costs.

FACTS AND PROCEDURAL BACKGROUND


Northwestern Mutual initiated this interpleader action and deposited \$126,845 into the Court's registry, the rights to this amount being contested by the parties interpleaded. ECF No. 1. Northwestern Mutual now seeks \$17,941.91 in attorneys' fees and costs. ECF No. 34.

DISCUSSION

Normally the Court would not grant attorneys' fees to Northwestern Mutual for initiating an interpleader action to resolve competing claims to a life insurance benefit. *Travelers Indemnity Co. v. Israel*, 354 F.2d 488, 490 (2d Cir. 1965); *Guardian Life Ins. Co. v. Gilmore*, No. 13-CV-2677 KMK, 2014 WL 4435438, at *7-8 (S.D.N.Y. Sept. 9, 2014); *AIG Life Ins. Co. v. Rafferty*, No. 07-CV-3099, 2008 WL 1959697, at *1 (E.D. Pa. May 6, 2008). However, because of the additional motion practice in this matter, the Court has determined that it is appropriate to award Plaintiff \$6,000 in attorneys' fees and costs.

CONCLUSION

The Court grants Plaintiff \$6,000 in attorneys' fees and costs, to be deducted from the funds deposited in the Court's registry. It is so ordered.


United States Senior District Judge